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REMARKS

Claims 1-25 are pending in the application. In the Office Action at hand, those claims are rejected.

Claims 1, 2, 9-14, and 21-25 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 50-53 of U.S. Patent No. 6,702,984. A Terminal Disclaimer is concurrently filed herewith to overcome the double patenting rejection.

Claims 1, 2, 8, 12-14, 20, 24 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Matsui. In addition, Claims 1-3, 8, 12, 15, 24 and 25 are rejected under Section 102(b) as being anticipated by Crewe. Furthermore, Claims 4-6 and 16-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Crewe in view of Heller. In response to the Section 102(b) and 103(a) rejections, the Applicant respectfully submits that Claims 1-8, 10-20 and 22-25, as amended, are neither anticipated nor obvious in view of the Matsui, Crewe and Heller Patents. Reconsideration is respectfully requested.

Claims 7, 9-11 and 21-23 were not rejected by the Examiner under the prior art, and as a result, Claims 7, 9-11 and 21-23 are presumed allowable. Accordingly, independent Claims 1 and 25 have been amended to include the limitations of Claim 9, and independent Claim 13 has been amended to include the limitations of Claim 21. In particular, Claims 1 and 25 have been amended to include the language, "the robotic device capable of controllably spacing the exit window of the electron beam generator a desired distance away from the surfaces as the electron beam generator is moved over the surfaces," and Claim 13 has been amended similarly. No new matter is introduced. Therefore, Claims 1-8, 10-20 and 22-25, as amended, are now in condition for allowance. Reconsideration is respectfully requested.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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